

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-20275-CR-MARTINEZ/BECERRA

UNITED STATES OF AMERICA,

Plaintiff,

v.

LAVON MOSS,

Defendant.

JOINT MOTION TO CONTINUE SUPPRESSION HEARING

Defendant Lavon Moss, through his undersigned counsel, and the United States of America, through its undersigned counsel, jointly move this Court to continue the suppression hearing in this case currently scheduled for November 2, 2022. The parties state the following in support of this motion:

Mr. Moss filed a motion to suppress the evidence in this case, the government responded and the Court scheduled a hearing on this motion for November 2, 2022, at 10 a.m.

While preparing for the hearing, the government has become aware of additional evidence in the case. Last week, the government produced to defense a 2 hour and 10 minute recorded interview with Mr. Moss. This interview occurred immediately following the execution of the search warrant that underlies Mr. Moss's suppression motion.

Next, on Monday, October 31, 2022, the government informed that they had learned of additional videos potentially relevant to this suppression motion. Those videos depict the Miami Dade Police Department's Special Response Team's entry to begin executing the search warrant at Mr. Moss's home, the same warrant challenged in the motion. Assistant United States Attorney Yara Dodin disclosed to defense that as soon as she learned of the video's existence, she was making all efforts to obtain them. This afternoon the videos were provided via disk and download link. Defense counsel was first able to access them at 4:15 p.m.

Upon receiving the videos, defense requires time to review them. There appears to be approximately 17 videos of varying lengths, between 5 minutes and 19 minutes long, approximately averaging out to about 10 minutes for the 17 videos. Both parties agree that a short continuance will provide them the time necessary to adequately prepare for this hearing, given the new evidence in the case.

WHEREFORE the United States and Defendant Lavon Moss jointly request that the suppression hearing in this case be continued.

Respectfully submitted,

MICHAEL CARUSO
FEDERAL PUBLIC DEFENDER

By: /s/ Aimee Ferrer
Aimee Ferrer
Assistant Federal Public Defender
Florida Bar No. 17827
150 W. Flagler Street, Suite 1700
Miami, Florida 33130-1556
Tel: (305) 530-7000
Email: aimee_ferrer@fd.org

CERTIFICATE OF SERVICE

I HEREBY certify that on **November 1, 2022**, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

By: s/ Aimee Ferrer